

**Superior Court of Washington
County of**

In re the Custody of:

Child(ren),

Petitioner(s),

and

Respondent(s).

No.

**Order Appointing Guardian ad
Litem on Behalf of Minor
(ORAPGL)**

I. Basis

1.1 Basis for Appointment

This appointment is being made pursuant to RCW 26.10.

1.2 Children to Whom the Order Applies

[] _____ [petitioner or respondent] [] the court moved for
appointment of a guardian ad litem for the following minor child(ren) in this action:

Name

Age

II. Findings

After reviewing the case record to date and the basis for the motion, the court ***Finds*** that the motion
should be granted because appointment of a guardian ad litem is in the best interest of the child(ren).

III. Order

It is Ordered:

3.1 Appointment of Guardian ad Litem

_____ [Name] is appointed as guardian ad litem for the above-named minor child(ren) of the parties and shall receive copies of all pleadings and notice of all court proceedings regarding the child(ren).

3.2 Duties of the Guardian ad Litem

The guardian ad litem shall investigate and report factual information to the court concerning parenting arrangements for the child, and shall represent the child's best interests. The guardian ad litem may make recommendations based upon an independent investigation regarding the best interests of the child. The guardian ad litem shall report a child's expressed preferences regarding the parenting plan to the court, together with the facts relative to whether any preferences are being expressed voluntarily and the degree of the child's understanding.

The guardian ad litem shall make a full and complete written report to the court and counsel/parties on or before _____ [Date] and at least 60 days before trial provided that an extension may be granted by the court. This report shall include recommendations and bases for those recommendations.

[] Other:

3.3 Other Duties

Other duties of the guardian ad litem include appearing at all court hearings and pretrial conferences within the scope of appointment unless excused by the court and assisting the parties and counsel in reaching a resolution of the matters involving said children.

3.4 Guardian ad Litem Access to Children, Records and Information

To facilitate reasonable investigation of information pertaining to the best interest of the child(ren), the guardian ad litem shall have access to the children and to all records and information, including authorization to speak with interested persons, from the following sources: law enforcement agencies; Child Protective Services (or the equivalent out-of-state agency); health care providers; mental health care providers; child care providers; the Department of Social and Health Services (or the equivalent agency in another state); and educational institutions.

These agencies may withhold or blackout portions of requested information as warranted by law or by court order. The guardian ad litem shall maintain the confidentiality of information except as necessary to fulfill his or her duties as guardian ad litem.

Within the scope of appointment, the guardian ad litem shall have access to all Superior Court and Juvenile Court files, including any sealed/confidential portions thereof, other than records sealed

pursuant to RCW 13.50.050(7). All information obtained from sealed or confidential files shall remain sealed or confidential, and the guardian ad litem shall inform the court if the guardian ad litem report contains sealed or confidential information.

The court clerk shall provide certified copies of this order to the guardian ad litem upon request and without charge.

Upon good cause shown, the guardian ad litem or the parties may move that the court make confidential any reports or documents placed in the court file by the guardian ad litem.

3.5 Payment of Fees and Costs

The guardian ad litem fee is \$_____ per hour up to \$_____, the maximum the guardian ad litem may charge without additional court review and approval.

The fees and costs of the guardian ad litem shall be paid as follows:

☐ _____ % by father, _____ % by mother, _____ % by other_____.

☐ Other:

The total amount awarded shall be at the discretion of the court up to the maximum amount allowed after the guardian ad litem files an itemized statement of time with the court, along with a specific request for fees and a proposed Order. Guardians ad litem who are not volunteers shall provide the parties with an itemized accounting of their time and billing for services each month.

3.6 Consent of Children Over Twelve to Investigation

☐ Does not apply.

☐ _____ [Name] has/have reached the age of twelve. Written consent for the guardian ad litem to consult with and obtain information from medical, psychiatric, or other experts who have served the child(ren) in the past ☐ has ☐ has not been given by the child.

3.7 Authorization for Release of Information

☐ Does not apply.

☐ Each party's signature hereunder constitutes an authorization for release of information by that party to the agencies listed in paragraph 3.4, above.

3.8 Termination of Appointment

The appointment terminates:

☐ Upon entry of the final decree or residential schedule.

☐ Other:

3.9 Other

Dated: _____

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Signatures of the Parties:

Mother's Signature

Child's Signature
(See Paragraph 3.6)

Judge/Commissioner

Approved for entry:
Notice of presentation waived:

Signature of Party or Lawyer WSBA No.

Print or Type Name

Accepted upon approval by the court

Guardian Ad Litem

Father's Signature

Child's Signature
(See Paragraph 3.6)